

District Judge Barbara J. Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

F.C.,

Plaintiff,

v.

United States Department of Homeland
Security, *et al.*,

Defendants.

No. 2:23-cv-1800-BJR

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND ORDER

Plaintiff brought this litigation pursuant to the Administrative Procedure Act and the Mandamus Act seeking an order from this Court compelling the U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate her Form I-589, Application for Asylum and for Withholding of Removal. The parties are currently working towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until April 22, 2024.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

1 With additional time, this case may be resolved without the need of further judicial
 2 intervention. USCIS has scheduled Plaintiff's asylum interview for January 23, 2024. Plaintiff
 3 agrees to submit all supplemental documents and evidence, if any, to USCIS seven to ten days
 4 prior to the interview date. Plaintiff recognizes that failure to submit documents prior to the
 5 interview may require the interview to be rescheduled and the adjudication delayed. If needed,
 6 Plaintiff will bring an interpreter to the interview, otherwise the interview will need to be
 7 rescheduled and the adjudication delayed. USCIS agrees to work diligently towards completing
 8 the adjudication within 90 days after the interview but may not be able to fully adjudicate the
 9 application within that time. However, if Plaintiff's asylum application is not adjudicated within
 10 that time, USCIS will submit a status report to this Court. If Defendants promptly adjudicate
 11 Plaintiff's asylum application without the need for intervention by this Court, then Plaintiff will
 12 dismiss the case with each party to bear their own litigation costs and attorneys' fees. Accordingly,
 13 the parties request this abeyance to allow USCIS to conduct Plaintiff's asylum interview and then
 14 continue to process her asylum application.

15 As additional time is necessary for this to occur, the parties request that the Court hold the
 16 case in abeyance until April 22, 2024. The parties will submit a joint status report on or before
 17 April 22, 2024.

18 Dated: January 5, 2024

Respectfully submitted,

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***I certify that this memorandum contains
371 words, in compliance with the Local
Civil Rules.***

s/Christopher Strawn
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Attorneys for Plaintiff

ORDER

The case is held in abeyance until April 22, 2024. The parties shall submit a joint status report on or before April 22, 2024. It is so **ORDERED**.

DATED this 8th day of January 2024.

A handwritten signature in black ink, reading "Barbara J. Rothstein", written over a horizontal line.

BARBARA J. ROTHSTEIN
United States District Judge